

Mr. Harry R. Lowe  
Nucor Building Systems  
P.O. Box 70  
305 Industrial Parkway  
Waterloo, IN 46793

Re: 033-15925  
First Administrative Amendment to  
Federally Enforceable State Operating Permit  
(FESOP) 033-14157-00035

Dear Mr. Lowe:

Nucor Building Systems was issued a FESOP on April 17, 2002 for renewed operation of a prefabricated metal building and components assembly and coating plant. A letter requesting that the permit be amended to correct telephone and facsimile numbers listed at Condition B.14(b)(4) was received on April 29, 2002. Pursuant to the provisions of 326 IAC 2-8-10(a)(2) the permit is hereby administratively amended as follows (new language shown in bold and deleted language shown with a line through it):

**B.14 Emergency Provisions [326 IAC 2-8-12]**

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- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a health-based or technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describes the following:
- (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ and the IDEM Northern Regional Office, within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone No.: 1-800-451-6027 (ask for Office of Air Quality, Compliance Section)  
or,  
Telephone No.: 317-233-5674 (ask for Compliance Section)  
Facsimile No.: 317-233-5967

Telephone No.: ~~812-436-2570~~ **574-245-4870** (Northern Regional Office)  
Facsimile No.: ~~812-436-2572~~ **574-245-4877** (Northern Regional Office)

All other conditions of the permit shall remain unchanged and in effect. Please attach a copy of this amendment and the following revised permit pages to the front of the original permit.

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5. If you have any questions on this matter, please contact Michael Hirtler at (973) 575-2555, extension 3229, or call (800) 451-6027, press 0 and ask for Duane Van Laningham or ask for extension 3-6878.

Sincerely,

Paul Dubenetzky, Chief  
Permits Branch  
Office of Air Management

Attachments

MH / EVP

c: File - Dekalb County  
U.S. EPA, Region V  
Dekalb County Health Department  
Northern Regional Office  
Air Compliance Section Inspector - Doyle Houser  
Compliance Data Section - Karen Nowak  
Administrative and Development  
Technical Support and Modeling - Michelle Boner



Governor

*Lori F. Kaplan*  
Commissioner

# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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## FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP) OFFICE OF AIR QUALITY

**Nucor Building Systems  
305 Industrial Parkway  
Waterloo, IN 46793**

(herein known as the Permittee) is hereby authorized to operate subject to the conditions contained herein, the source described in Section A (Source Summary) of this permit.

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-8 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17.

Operation Permit No.: F033-14157-00035	
Issued by: Paul Dubenetzky, Branch Chief Office of Air Quality	Issuance Date: April 17, 2002  Expiration Date: April 17, 2007
First Administrative Amendment: 033-15925-00035	Page Affected: 11
Issued by: Paul Dubenetzky, Branch Chief Office of Air Quality	Issuance Date:

- (b) The Permittee shall implement the PMPs as necessary to ensure that maintenance practices do not cause or contribute to a violation of any limitation on emissions or potential to emit.
- (c) A copy of the PMPs shall be submitted to IDEM, OAQ, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ, may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or contributes to any violation. The PMP does not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (d) Records of preventive maintenance shall be retained for a period of at least five (5) years. These records shall be kept at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.

**B.14 Emergency Provisions [326 IAC 2-8-12]**

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- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation, except as provided in 326 IAC 2-8-12.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a health-based or technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describes the following:
  - (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
  - (2) The permitted facility was at the time being properly operated;
  - (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
  - (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ and the IDEM Northern Regional Office, within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

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